

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NY STONE MANHATTAN, LLC,
Plaintiff,

-against-

COWAN LOGISTICS, LLC,
Defendant.

1:23-cv-01159 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

Plaintiff filed its Complaint on February 13, 2023. *See* ECF No. 5. The Complaint alleges subject matter jurisdiction based on diversity of citizenship. *Id.* ¶ 1. It alleges that Plaintiff is a limited liability corporation and that one of Plaintiff’s two members is “NL Cohen Acquisition, a Delaware corporation.” *Id.* ¶¶ 3-4. The Complaint alleges that Defendant is a “foreign limited liability corporation” incorporated in Maryland with a principal place of business in Maryland. *Id.* ¶ 5. Plaintiff has not filed a disclosure statement pursuant to Federal Rule of Civil Procedure (“Rule”) 7.1.


“For diversity purposes, a corporation is deemed to be a citizen both of the state in which it has its principal place of business and of any state in which it is incorporated.” *Universal Licensing Corp. v. Paola del Lungo S.p.A.*, 293 F.3d 579, 581 (2d Cir. 2002) (citing 28 U.S.C. § 1332(c)(1)). A limited liability company is deemed to be a citizen of each state of which its members are citizens. *See, e.g., Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51-52 (2d Cir. 2000). That means that, “if any of an LLC’s members are themselves non-corporate entities, then a plaintiff must allege the identity and citizenship of their members, proceeding up the chain of ownership until it has alleged the identity and citizenship of every individual and corporation with a direct or indirect interest in the LLC.” *U.S. Liab. Ins. Co. v. M Remodeling*

Corp., 444 F. Supp. 3d 408, 410 (E.D.N.Y. 2020). Rule 7.1 requires that a party file a disclosure statement “with its first” appearance or pleading. Plaintiff has not satisfied these requirements here.

Accordingly, Plaintiff shall, by **February 21, 2023**, file a completed Rule 7.1 Disclosure Statement, available here: <https://www.nysd.uscourts.gov/forms/rule-71-statement>, which shall include all necessary information to establish subject-matter jurisdiction based on diversity as set forth above.

SO ORDERED.

Dated: February 14, 2023
New York, New York



JENNIFER L. ROCHON
United States District Judge